

**RECEIVED**

AUG 14 2001

DECLARATION

As a below named inventor, I declare that:

TECH CENTER 1600/2900

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: MOLECULAR INTERACTIONS IN HEMATOPOIETIC CELLS, the specification of which ____ is attached hereto or X was filed on November 28, 2000 as Application No. 09/724,553 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/196,460	April 11, 2000
60/196,528	April 11, 2000
60/196,527	April 11, 2000
60/196,267	April 11, 2000
60/182,296	February 14, 2000
60/176,195	January 14, 2000
60/170,453	December 13, 1999
60/162,498	October 29, 1999
60/160,860	October 21, 1999
60/134,118	May 14, 1999
60/134,117	May 14, 1999
60/134,114	May 14, 1999



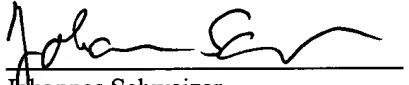
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/710,059	11/10/00	pending
09/688,017	10/13/00	pending
09/570,118	5/12/00	pending
09/570,364	5/12/00	pending

09/569,525	5/12/00	pending
09/547,276	4/11/00	pending

Full Name of Inventor 1:	Last Name: LU	First Name: PETER	Middle Name or Initial: S.	
Residence & Citizenship:	City: Mountain View	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 99 East Middlefield Road, No. 29	City: Mountain View	State/Country: California	Postal Code: 94043
Full Name of Inventor 2:	Last Name: RABINOWITZ	First Name: JOSHUA	Middle Name or Initial: D.	
Residence & Citizenship:	City: Mountain View	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 750 North Shoreline Boulevard, No. 50	City: Mountain View	State/Country: California	Postal Code: 94043
Full Name of Inventor 3:	Last Name: SCHWEIZER	First Name: JOHANNES	Middle Name or Initial:	
Residence & Citizenship:	City: Mountain View	State/Foreign Country: California	Country of Citizenship: Germany	
Post Office Address:	Post Office Address: 284 Tyrella Avenue, No. 17	City: Mountain View	State/Country: California	Postal Code: 94043

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Peter S. Lu	Signature of Inventor 2  Joshua D. Rabinowitz	Signature of Inventor 3  Johannes Schweizer
Date 6-22-01	Date 6-21-01	Date 6-21-01



Please type a plus sign (+) inside this box →



PTO/SB/81 (02-01)
Approved for use through 10/31/2002. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/724,553
Filing Date	November 28, 2000
First Named Inventor	Peter S. Lu
Title	Molecular Interactions in Hematopoietic Cells
Group Art Unit	1646
Examiner Name	
Attorney Docket Number	020054-001130US

I hereby appoint:

☒ Practitioners at Customer Number
OR

20350

Place Customer
Number Bar Code
Label here

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.
OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

303-571-4000

Fax

303-571-4321

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Peter S. Lu

Signature

Date

6-22-01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DE 7043379 v1

TECH CENTER 1600/2900

AUG 14 2001

RECEIVED



TECH CENTER 1600/2900

AUG 14 2001

RECEIVED

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Peter S. Lu, et al.

Application No./Patent No.: 09/724,553

Filed/Issue Date: November 28, 2000

Entitled: Molecular Interactions in Hematopoietic Cells

Arbor Vita Corporation

a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

6-22-01

Date

Signature

Peter S. Lu

Typed or printed name

President and CEO

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Peter S. Lu, of 99 East Middlefield Road, No. 29, Mountain View, CA 94043; Joshua D. Rabinowitz, of 750 North Shoreline Boulevard, No. 50, Mountain View, CA 94043; Johannes Schweizer, of 284 Tyrella Avenue, No. 17, Mountain View, CA 94043; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: Molecular Interactions in Hematopoietic Cells

Date(s) of execution of Declaration:

Filing Date: November 28, 2000

Application No.: 09/724,553; and

WHEREAS, Arbor Vita Corporation, a corporation of the state of California, located at 772 Lucerne Drive, Sunnyvale, CA, 94085, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

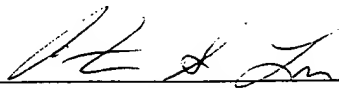
For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

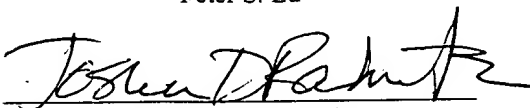
Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

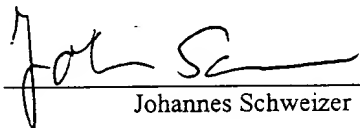
Dated: 6-22-01


Peter S. Lu

Dated: 6-21-01


Joshua D. Rabinowitz

Dated: 6-21-01


Johannes Schweizer



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

RECEIVED
AUG 14 2001
TECH CENTER 1600/2900

Applicant or Patentee: Lu et al.
Application or Patent No.: 09/724,553
Filed or Issued: November 28, 2000
Title: Molecular Interactions in Hematopoietic Cells

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below.

Name of Small Business Concern: Arbor Vita Corporation
Address of Small Business Concern: 772 Lucerne Drive
Sunnyvale, CA 94085

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Molecular Interactions in Hematopoietic Cells by inventor(s) Peter S. Lu, Joshua D. Rabinowitz, Johannes Schweizer described in:

- ☐ the specification filed herewith;
☒ Application No. 09/724,553, filed November 28, 2000;
☐ Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: _____
Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name: _____
Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Peter S. Lu
Title of Person if Other than Owner: President and CEO
Address of Person Signing: 772 Lucerne Drive
Sunnyvale, CA 94085

Signature [Signature] Date 6.22.01